


Councilmember Kevin P. Chavous

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, due to Congressional recess, the District of Columbia Revenue Act of 1937 and the District of Columbia Traffic Act, 1925 to allow residents to register their vehicles and renew their operating permits where they have alleged unpaid parking fines, penalties, and fees imposed on their motor vehicles prior to January 1, 1997.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Motor Vehicle Registration and Operator's Permit Issuance Enhancement Second Congressional Review Emergency Amendment Act of 2002".

Sec. 2. Section 2 of the District of Columbia Revenue Act of 1937, approved August 17, 1937 (50 Stat. 680; D.C. Official Code § 50-1501.02), is amended as follows:

(a) Subsection (c)(2) is amended by striking the phrase "Has paid all applicable fines" and inserting the phrase "Except as provided by subsection (c-1) of this section, has paid all applicable fines" in its place.

(b) A new subsection (c-1) is added to read as follows:

"(c-1)(1) For the purposes of issuing a registration certificate and identification tag or

tags pursuant to subsection (c) of this section, the Mayor shall not refuse to issue a certificate and identification tag or tags because the owner has not paid all applicable parking fines, penalties and fees for the motor vehicle or trailer, if those parking fines, penalties, and fees were first imposed prior to January 1, 1997.

"(2) An owner of a motor vehicle or trailer shall not be liable for any parking fines, penalties and fees for a motor vehicle or trailer imposed prior to January 1, 1997, that have remained uncollected as of the effective date of the Motor Vehicle Registration and Operator's Permit Issuance Enhancement Emergency Amendment Act of 2002. Any such uncollected parking fines, penalties and fees are hereby forgiven."

Sec. 3. Section 7(a) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1121; D.C. Official Code § 50-1401.01(a)), is amended by adding a new paragraph (1A) to read as follows:

"(1A)(A) For the purposes of issuing an operator's permit pursuant to this subsection, the Mayor shall not refuse to issue an operator's permit because the applicant has not paid all applicable parking fines, penalties and fees for a motor vehicle or trailer, if those parking fines and fees were first imposed prior to January 1, 1997.

"(B) An owner of a motor vehicle or trailer shall not be liable for any parking fines, penalties or fees for a motor vehicle or trailer imposed prior to January 1, 1997, that have remained uncollected as of the effective date of the Motor Vehicle Registration and Operator's Permit Issuance Enhancement Emergency Amendment Act of 2002. Any such uncollected parking fines, penalties or fees are hereby forgiven."

Sec. 4. The Department of Motor Vehicles shall establish and implement an adjudication

process for owners and applicants who have paid parking fines, penalties, and fees imposed for a
motor vehicle or trailer that were imposed prior to January 1, 1997 and paid since January 1,
2002, and refund amounts only if there is proof that tickets were issued in error.

Sec. 5. Applicability.

This act shall apply as of January 12, 2003.

Sec. 6. Fiscal impact statement.

This act will have no fiscal impact.

Sec. 7. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the
Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
90 days, as provided for emergency acts of the Council of the District of Columbia in section
412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
D.C. Official Code § 1-204.12(a)).